

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

HSBC Bank USA, National
Association as Trustee in Trust for
Citigroup Mortgage Loan Trust Inc.,
Asset Backed Pass Through Certificates
Series 2003-HE4,

Plaintiff,

Francey J. Ochoa; The Unknown Heirs of the Estate of Frank I. Ochoa; Green Tree Financial Servicing Corporation; United States of America Department of Treasury – Internal Revenue Service; Collection Service of Nevada; Does I-X; and Roes 1-10 inclusive,

Defendants.

Case No. 3:18-cv-00371-LRH-WGC

**STIPULATION AND
ORDER TO DISCLAIM
INTEREST AND DISMISS IRS
WITH PREJUDICE**

Plaintiff HSBC Bank USA, National Association as Trustee in Trust for Citigroup Mortgage Loan Trust Inc., Asset Backed Pass Through Certificates Series 2003-HE4 (“Plaintiff”) and Defendant United States Department of America, Internal Revenue Service (“IRS”) hereby

1 stipulate and agree that, in lieu of answering Plaintiff's complaint, the IRS shall, and hereby does,
2 disclaim, for purposes of this action, any right, title or interest in the real property referenced in
3 Plaintiff's complaint and described as 3235 Park Manor, Winnemucca, Nevada 89445. Based on
4 the IRS's disclaimer of its right, title or interest in the real property referenced herein, Plaintiff
5 shall, and hereby does, dismiss its claims against the IRS in this action with prejudice. Plaintiff
6 and the IRS further stipulate that, given the IRS's dismissal from the case, the matter should be
7 remanded back to state court.

8 DATED: August 21, 2018.

9 Respectfully submitted,

10 DAYLE ELIESON
United States Attorney

McCARTHY & HOLTHUS, LLP

11 /s/ Holly A. Vance
12 HOLLY A. VANCE
13 Assistant United States Attorney

/s/ Kristin A. Schuler-Hintz
KRISTIN A. SCHULER-HINTZ
MICHAEL J. LIN

14 **O R D E R**

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16 IT IS HEREBY ORDERED that the IRS hereby disclaims, for purposes of this action, any
17 right, title or interest in the property identified in Plaintiff's complaint.

18 IT IS FURTHER ORDERED that, by stipulation of Plaintiff and the IRS, all claims
19 asserted in the action against the IRS are dismissed, with prejudice, with each party to bear their
20 own attorney's fees and costs.

21 IT IS FURTHER ORDERED that the case is remanded to state court.

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23 DATED: August 23, 2018

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LARRY R. HICKS
UNITED STATES DISTRICT JUDGE